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OFFICE OF PETITIONS

In re Application of
Hanabusa, et al.
Application No. 10/602,506
Filed: June 24, 2003
Attorney Docket No. 2002-123
For: ATTACK DETERRENT AND
ATTACKER IDENTIFICATION SYSTEM

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: DECISION ON
: PETITION
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This is a decision on the petition filed December 10, 2003 requesting that Figures 35-38 be accorded a filing date of June 24, 2003. The petition will be treated under 37 CFR 1.53(e).

The application was filed on June 24, 2003. On October 14, 2003, the Office of Initial Patent Examination mailed a "Notice to File Corrected Application Papers" (Notice) informing petitioners, *inter alia*, that Figures 35-38, as described in the specification, appeared to have been omitted.

Petitioners request that Figures 35-38 be accorded a filing date of June 24, 2003 on the basis that 21 sheets of drawing figures, including Figures 35-38, were received in the Patent and Trademark Office (PTO) on June 24, 2003. In support, the instant petition is accompanied by a copy of applicants' itemized postcard receipt showing an Office of Initial Patent Examination generated barcode citing June 24, 2003 as the date of receipt. The postcard lists, *inter alia*, that the filing included 21 sheets of drawings.

The return postcard constitutes *prima facie* evidence that 21 sheets of drawing figures were filed on June 24, 2003. MPEP 503. A review of the application file reveals that there are only 20 sheets of drawing figures present.

Accordingly, the petition under 37 CFR 1.53(e) is **GRANTED**. The \$130.00 petition fee will be credited to petitioners' credit card.

The application is being returned to Office of Initial Patent Examination for further processing, with a filing date of **June 24, 2003**, using the copy of Figures 35-38 submitted with the instant petition. Office records will be corrected to show that 21 sheets of drawings were present on initial filing.

Any inquiries pertaining to this matter may be directed to the undersigned at (703) 308-6712.

A handwritten signature in cursive script, reading "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions